

REMARKS

In the Office Action mailed March 7, 2007, claims 23-27 were withdrawn from consideration by the Examiner; claim 21 was "objected to"; claims 1-3, 5, 8 and 13-16 were rejected under 35 U.S.C. 102(b) as being anticipated by Hashiba et al. (Japanese Patent Publication No. 2001-149685); and claims 4, 6-7, 9-12 and 17-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hashiba in view of Mueller et al. (U.S. Patent No. 5,507,053). The foregoing objections and rejections are respectfully traversed.

Minor amendments have been made to claims 1, 11 and 12 to further clarify the present invention. In addition, claim 21 has been amended based upon the Examiner's comments at page 4 of the Office Action.

Claims 1-27 are currently pending and under consideration. Reconsideration is respectfully requested.

Regarding the 102(b) rejections:

Claim 1 has been amended to recite:

"A drum washing machine, comprising:
a water tub to contain water therein;
a rotary drum included in the water tub and comprising:
 a rotating axis of the rotary drum is inclined relative to a horizontal axis at a predetermined first angle of inclination allowing an inlet opening of the rotary drum to be directed upward and forward facing an inner surface of a door of the drum washing machine,
 a drain hole provided on the rotary drum at a position adjacent to the inlet opening, and
 an internal surface of the rotary drum being inclined relative to the rotating axis of the rotary drum at a predetermined second angle of inclination so as to guide the water to the drain hole, prior to discharging the water from the rotary drum to an outside of the rotary drum through the drain hole;
a drive unit to drive the rotary drum; and
a water circulation unit to feed the water from the water tub into the rotary drum."

Claims 11 and 12 have been amended to recite features somewhat similar to those recited in amended claim 1, for example.

Hashiba fails to discuss the features as recited in amended claim 1, for example. Specifically, Hashiba fails to discuss "a rotary drum...comprising: a rotating axis of the rotary drum is inclined relative to a horizontal axis at a predetermined first angle of inclination allowing **an inlet opening of the rotary drum to be directed upward and forward facing an inner surface of a door of the drum washing machine, a drain hole provided on the rotary drum**

at a position adjacent to the inlet opening, and an internal surface of the rotary drum being inclined relative to the rotating axis of the rotary drum at a predetermined second angle of inclination so as to guide the water to the drain hole, prior to discharging the water from the rotary drum to an outside of the rotary drum through the drain hole,” as recited in claim 1, for example.

Hashiba merely discusses a drum type washing machine having a washing heater and a method of removing and cleaning a portion containing the washing heater (see Abstract). Further, Hashiba discusses a heater case detachably mounted in the bottom of a water tank 33 and the washing heater is contained within the heater case so that a cleaning operation or removing dust collecting in the portion containing the washing heater can be carried out by tilting an outer casing 21 and removing the washing heater along with the heater case from an opening in the bottom (see FIG. 2, for example).

At page 4 of the Office Action, the Examiner asserts that Hashiba discusses an exhaust hose 95 and has an internal wall that is immediately below an inclined surface of the wash tank and drum. The Examiner appears to be asserting that the exhaust hose 95 of Hashiba is comparable to the Applicant’s “drain hole” as recited in amended claim 1, for example. However, the Applicant respectfully submits that “an exhaust hose” is not comparable to “a drain hole”. Further, the Applicant respectfully submits that the exhaust hose 95 of Hashiba is not adjacent to the opening 43 of the drum 42 of Hashiba. Therefore, Hashiba also fails to discuss “an internal surface of the rotary drum being inclined relative to the rotating axis of the rotary drum at a predetermined second angle of inclination so as to guide the water to the drain hole, prior to discharging the water from the rotary drum to an outside of the rotary drum through the drain hole,” also recited in amended claim 1, for example. Instead, as shown in FIG. 2 of Hashiba, the exhaust hose is attached to a drain valve 82 at a rear lower portion of the tank 33.

Based upon the comments mentioned above, claims 1-22 patentably distinguish over Hashiba.

Regarding the 103(a) rejections:

The above mentioned comments may be applied here also.

At page 5 of the Office Action, the Examiner admits that Hashiba fails to discuss all of the features as recited in claims 4, 6-7, 9-12 and 17-22. However, the Examiner asserts that Mueller makes up for the deficiencies of Hashiba. That is, the Examiner asserts that Mueller discusses a washing machine having “a spray nozzle” as recited in claim 4, for example, and “a detergent supply unit” as recited in the claim 18, for example. The Applicant respectfully submits that

although Mueller discusses a washing machine having a spray nozzle 78 (as shown in FIG. 8) and a dispenser 54 (as shown in FIG. 1, for example). Mueller fails to make up for the deficiencies of Hashiba, as mentioned above.

Therefore, the combination of Hashiba and Mueller fails to establish a *prima facie* case of obviousness over the present invention. To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or discuss all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See M.P.E.P. § 2142.

Accordingly, withdrawal of the rejections is respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 5/29/2007

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